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Attorneys for Non-Party Valve Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

**IN RE GOOGLE PLAY STORE
ANTITRUST LITIGATION**

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Case Nos.

3:21-md-02981-JD
3:20-cv-05671-JD
3:20-cv-05761-JD
3:21-cv-05227-JD
3:22-cv-02746-JD

**DECLARATION OF CHRISTOPHER
SCHENCK IN SUPPORT OF PLAINTIFFS'
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL PLAINTIFFS' PROPOSED
REMEDY RE GOOGLE'S DESTRUCTION
OF CHAT EVIDENCE**

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THIS DOCUMENT RELATES TO:

Epic Games, Inc. v. Google LLC et al., Case
No. 3:20-cv-05671-JD

*In re Google Play Consumer Antitrust
Litigation*, Case No. 3:20-cv-05761-JD

State of Utah et al. v. Google LLC et al., Case
No. 3:21-cv-05227-JD

*Match Group, LLC, et al. v. Google LLC, et
al.*, Case No. 3:22-cv-02746-JD

Case No. 3:21-md-02981-JD

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OF CHAT EVIDENCE**

I, Christopher Schenck, declare and state as follows in support of Plaintiffs' Administrative Motion to File Under Seal Plaintiffs' Proposed Remedy Re Google's Destruction of Chat Evidence¹:

¹ Plaintiffs' Administrative Motion is found at:

- *In re Google Play Store Antitrust Litigation* (No. 21-md-02981-JD) (N.D. Cal) at Dkt. # 609.
- *In re Google Play Consumer Antitrust Litigation* (No. 3:20-cv-05761-JD) (N.D. Cal) at Dkt. # 459.
- *State of Utah, et al. v. Google LLC et al.*, No. 3:21-cv-05227-JD (N.D. Cal.) at Dkt # 448.

1 1. I am in-house counsel at Valve. I am competent to testify and have personal
2 knowledge of the facts stated below.

3 2. Valve is a private company headquartered in Bellevue, Washington with
4 approximately 350 employees that develops PC video games. Valve also operates Steam, an
5 online platform that lets users purchase and play PC games on their laptops and desktops. Over
6 50,000 PC games are available on Steam, over 99% of which were made by third parties other
7 than Valve.

8 3. Valve is a privately held company with no outside shareholders or lenders. It
9 is not subject to public regulatory reporting and auditing requirements. Valve does not publicly
10 disclose its operational, sales, or other financial information, any confidential details about
11 vendor usage or relationships, or its business strategies. Valve derives a significant value from
12 the confidentiality of such information. In addition, because third party games are available
13 on Steam, Valve obtains and maintains a large amount of confidential third-party sales and
14 revenue information. Valve specifically does not publicly disclose this information in order to
15 protect the third parties' confidentiality. Our agreements with these third parties require us to
16 keep this information confidential.

17 4. Valve requests sealing of portions of the following document, which discloses
18 Valve's confidential information:

Document	Portion to be Sealed
Exhibit 15 to Plaintiffs' Administrative Motion to File Under Seal Plaintiffs' Proposed Remedy Re Google's	<ul style="list-style-type: none">Row 3 (related to Valve), Columns between "Primary Cloud" and "GCP Bookings 2019"; Column after "GCP Bookings 2019"

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- *Match Group, LLC et al. v. Google LLC et al.*, No. 3:22-cv-02746-JD (N.D. Cal.) at Dkt. # 195.
 - *Epic Games, Inc. v. Google LLC et al.*, No. 3:20-cv-05671-JD (N.D. Cal.) at Dkt. # 440.

Document	Portion to be Sealed
Destruction of Chat Evidence (Dkt. # 609-16 in Case No. 3:21-md-02981-JD) ²	

5. The portions mentioned in the table above from Exhibit 15 to Plaintiffs' Administrative Motion to File Under Seal Plaintiffs' Proposed Remedy Re Google's Destruction of Chat Evidence (Dkt. # 609-16 in Case No. 3:21-md-02981-JD, *see also* fn. 2) disclose and discuss Valve's usage of, and financial spend related to, Google Cloud services in 2019, which is highly confidential and competitively sensitive information. Moreover, malicious actors sometimes target cloud providers, so disclosing information about Valve's use of cloud providers risks inducing such malicious actors to target Valve. Further, Valve treats this information as highly confidential because it discloses competitively sensitive details regarding Valve's cloud usage and costs. Valve does not disclose or share this information outside the company, particularly to any competitor. Valve has chosen to stay private in part to avoid the intrusiveness and competitive harm that would come from publicly disclosing and reporting this type of operational and financial information. Public disclosure of this information would harm Valve's competitive standing as it would give significant and unfair insight into Valve's operations, vendor relationships and usage, financials, and business strategy.

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² This document was filed as Exhibit 15 to the following docket entries as well: *In re Google Play Consumer Antitrust Litigation* (No. 3:20-cv-05761-JD) (N.D. Cal.) at Dkt. # 459-16, *State of Utah, et al. v. Google LLC et al.*, No. 3:21-cv-05227-JD (N.D. Cal.) at 448-16; *Match Group, LLC et al. v. Google LLC et al.*, No. 3:22-cv-02746-JD (N.D. Cal.) at 195-16; *Epic Games, Inc. v. Google LLC et al.*, No. 3:20-cv-05671-JD (N.D. Cal.) at 440-16.

1 I declare under penalty of perjury that the foregoing is true and correct. Executed on
2 September 28, 2023 at Bellevue, Washington.

3 DocuSigned by:

4 *Chris Schenck*

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Christopher Schenck